

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:
Suen Ching Yan

Serial Number: 10/645,444 Examiner: MORAN, Katherine M.

Filed: 08/18/2003 Art Unit: 3765

For: **CAP WITH IMPROVED SUNSHADE**

Mail Stop FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Dear Madam:

The owner, Suen Ching Yan of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and § 173, as presently shortened by any terminal disclaimer, of Prior Patent Application Serial No. 10/349,255 issued to Suen Ching Yan. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period

that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding on the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 156-156 and § 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or in part; or terminally disclaimed under 37 C.F.R. § 1.321; has all claims canceled by a re-examination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The terminal disclaimer fee of \$55.00 is enclosed herewith. It is not believed that any additional fees are due. However, in the event additional fees are due, the

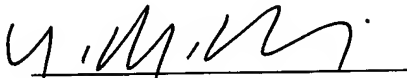
PATENT
03-12373-CIP

Examiner is hereby authorized to charge Applicant's attorney's deposit account no. 03-2030.

Respectfully submitted,

CISLO & THOMAS LLP

Date: April 28, 2004


Donald M. Cislo
Reg. No. 22,060

Enclosure

Payment for Terminal Disclaimer Fee
Original U.S. Patent Application Serial No. 10/349,255

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